IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 21922 of 2004

Between:

J. Chandra Mohan, S/o J. Uttanna,
R/o Gudipadu Village, Duvvur Mandal, Kadapa District.

..... PETITIONER

AND

1 Regional Transport Officer, Hindupur, Anantapur District.
2 Motor Vehicle Inspector, Hindupur, Anantapur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, preferably one in the nature of Writ of mandamus, declaring the action of the Respondents in seizing the detaining the Petitioner's Light Motor Vehicle (Omni Bus) bearing Registration No., AP.04/B.9408 pursuant to the Vehicle Check Report No. 0300653, dated 29-10-2004, of the 2nd respondent as illegal, arbitrary and contrary to law and consequently direct the respondents herein to release the said vehicle to the Petitioner herein, forthwith,

Counsel for the Petitioner:MR.E.MARUTHI RAJA

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following order at the admission stage.

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ORDER:

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Heard learned Counsel for the parties. With their consent, the writ petition is disposed of at the admission stage.

It is the case of the petitioner that his vehicle has been seized for violating the conditions of permit and for some other alleged offences. Subsequently, the petitioner made a representation on 2.11.2004 to the 1st respondent-Regional Transport Officer, Hindupur, requesting him to release the vehicle, but no action has been taken so far.

Having regard to the facts and circumstances of the case, without going into the merits of the case, I consider it appropriate to dispose of the writ petition, directing release of the vehicle bearing No.A.P.04/B.9408 subject to payment of a sum of Rs.5,000/- (Rupees Five thousand only) by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking to the effect that he shall not alienate or in any way encumber the vehicle.

The writ petition is accordingly disposed of. No costs.

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N.V.RAMANA, J

30TH NOVEMBER, 2004

Note: Issue CC in two days.

(Bo)

Gsn.

To

1 Regional Transport Officer, Hindupur, Anantapur District.
2 Motor Vehicle Inspector, Hindupur, Anantapur District.

3 2 CCs to the Government Pleader for Transport, A.P.High Court

Buildings, Hyderabad.

4 2 CD copies.

THE HON'BLE MR JUSTICE N.V. RAMANA

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30-11-2004